IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1022 OF 2005

Damayanti Mohan Mhatre
and another ... Plaintiffs

versus

M/s.Harsha Construction & anr. ... Defendants

Mr.Garge i/by Anjali Helekar for plaintiffs.

Ms.Kavita Basawraj i/by H.S.S.Murthy for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 30th June 2005

PC :

1. Mr.Garge holding for Ms.Helekar for the plaintiff seeks leave to withdraw the suit after taking instructions. Leave granted. In the light of the withdrawal of the suit, Notice of Motion does not survive. It is accordingly disposed off. Refund of court fee as per rules.

2. It is clarified that the suit as well as the notice of motion is being withdrawn in the light of the fact that the remedy of the plaintiffs is to take out appropriate proceedings for either challenging the consent decree or seeking it’s

enforcement and execution in accordance with law. Leaving all contentions of both sides open in that behalf, present suit is allowed to be withdrawn.

(S.C.DHARMADHIKARI, J.)